

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
**QN1071.US**

In Re Application Of: **Steven M. Betker**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
<b>10/798,527</b>	<b>March 11, 2004</b>	<b>Kevin C. Harper</b>	<b>22145</b>	<b>2616</b>	<b>7244</b>

Title: **METHOD AND SYSTEM FOR PREVENTING DEADLOCK IN FIBRE CHANNEL FABRICS USING FRAME PRIORITIES**

Address to  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

**OR**

☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(e))

Docket No.  
QNI071.US

In Re Application of: Steven M. Betker

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/798,527	March 11, 2004	Kevin C. Harper	22145	2616	7244

Title: METHOD AND SYSTEM FOR PREVENTING DEADLOCK IN FIBRE CHANNEL FABRICS USING FRAME PRIORITIES

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 11-1159 as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

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(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Certificate

**\*This certificate may only be used if paying by deposit account.**

Dated: August 20, 2008

Signature

Richa Dhindsa (Reg. No.: L0275)  
Klein, O'Neill & Singh, LLP (Customer No.: 22145)  
43 Corporate Park, Suite 204  
Irvine, CA 92606  
Tel: 949-955-1920  
Fax: 949-955-1921

CC:

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
**QN1071.US**

In Re Application Of: **Steven M. Betker**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/798,527	March 11, 2004	Kevin C. Harper	22145	2616	7244

Invention: **METHOD AND SYSTEM FOR PREVENTING DEADLOCK IN FIBRE CHANNEL FABRICS USING  
FRAME PRIORITIES**

COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.


Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☐ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☒ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
Signature

Dated: August 20, 2008

Richa Dhindsa (Reg. No.: L0275)  
Klein, O'Neill & Singh, LLP (Customer No.: 22145)  
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(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Steven M. Betker	
Title:	<b>"METHOD AND SYSTEM FOR PREVENTING DEADLOCK IN FIBRE CHANNEL FABRICS USING FRAME PRIORITIES"</b>	
Serial No.:	10/798,527	Filed: March 11, 2004
Examiner:	Kevin C. Harper	Group Art Unit: 2616
Attorney Docket No.:	QN1071.US	

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT IN SUPPORT OF INFORMATION DISCLOSURE STATEMENT**

Sir,

To comply with the requirements of 37 C.F.R. § 1.56 and McKesson Information Solutions, Inc. v. Bridge Medical, Inc., *487 F.3d 897 (Fed. Cir. 2007)* ("McKesson decision"), Applicant submits the attached Supplemental Information Disclosure Statement in accordance with 37 C.F.R. §§ 1.97 and 1.98 in connection with the above-identified patent application. Applicant had previously provided a list of co-pending patent applications. Per McKesson, Applicant submits the office actions in the co-pending patent applications, as well as the citations that were considered relevant by the Examiner in such co-pending cases.

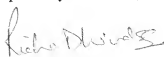
Applicant respectfully requests that this Information Disclosure Statement be entered and the documents listed on the attached form 1449 be considered by the Examiner and made of record.

If the Examiner has any questions concerning this Information Disclosure Statement, the Examiner is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 11-1159.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 11-1159 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: 06/20/08

Respectfully Submitted,



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